

Message Text

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15

ORIGIN EA-06

INFO OCT-01 SS-14 ISO-00 L-01 NSC-05 NSCE-00 INR-05 CIAE-00

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DRAFTED BY EA/TB - RMGIBSON:MFG

APPROVED BY EA - RHMILLER

EA/TB - JHELBLE

L/EA - PNORTON (DRAFT)

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R 091952Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY RANGOON

C O N F I D E N T I A L STATE 223393

LIMDIS

E.O. 11652: GDS

TAGS: PINT, BM

SUBJECT: GUB REQUEST FOR EMBASSY OFFICER'S TESTIMONY
AT FORTHCOMING COUP TRIAL

REF: RANGOON 3087

1. THE DEPARTMENT CONCURS IN THE AMBASSADOR'S POSITION
THAT IT WOULD BE INAPPROPRIATE FOR AN EMBASSY OFFICER TO
EITHER TESTIFY OR GIVE A DEPOSITION AT THE SUBJECT TRIAL.
UNDER ACCEPTED INTERNATIONAL LAW, THE OFFICER IN QUES-
TION ENJOYS IMMUNITY FROM JURISDICTION OF THE HOST
COUNTRY'S COURTS, AND IS UNDER NO LEGAL OBLIGATION TO
TESTIFY OR ENTER A DEPOSITION.

2. FYI: IN THE PAST, WE HAVE OCCASIONALLY AUTHORIZED
DIPLOMATIC PERSONNEL TO TESTIFY IN FOREIGN CRIMINAL
COURT CASES. THE POLITICAL NATURE OF THE TRIAL IN QUES-
TION WOULD, HOWEVER, PRECLUDE ANY WAIVER OF IMMUNITY IN
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THIS CASE. END FYI. KISSINGER

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Message Attributes

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